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FAX

To: Examiner Heller  
Patent Examiner  
United States Patent and Trademark Office  
Fax#: 571-273-8300

From: Rebecca Davis  
Patent Agent  
Hollingsworth & Funk, LLC  
Ph#: 952-232-6877

Re: Pat. App. Serial No. 10/600,569, Agenda for Examiner Interview

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Examiner Heller:

We plan to discuss the following during the scheduled Examiner interview:

Interpretation of the cited references with regard to differentiating between a capture in multiple heart chambers and capture in a single heart chamber:

- (1) Ferek-Patric: The OA cites paragraphs 25 and 92 for this element. Ferek-Patric discusses implanting electrodes in different locations within the heart and detecting capture using the same electrodes that deliver a pacing pulse. Nothing from these paragraphs suggests discriminating between capture of a single chamber and capture of multiple chambers.
- (2) Bradley '579: The OA cites paragraphs 49 and 50 and Figures 1, 2 and 4 for this element. At these sections Bradley checks whether capture occurred in a particular chamber, but this does not constitute differentiating between capture of a single chamber and capture of multiple chambers
- (3) Kroll and KenKnight: The OA cites paragraph 0026 of Kroll exclusively to teach this element. Kroll describes detecting the capture activity of one chamber and using that outcome to determine if capture has occurred in another chamber. Kroll detects either multi-chamber capture or total capture failure and no differentiation is made between capture of *single* chamber and capture of multiple chambers
- (4) Bradley '869 and KenKnight: The OA relies on Figures 1 and 2 as well as Column 10, Lines 31-46 and Column 20, lines 3-46 of Bradley '869 to account for this element. At these sections Bradley just describes general capture detection and template correlation. There is no suggestion of discriminating between capture of a single chamber and capture of multiple chambers.

Dec. 30. 2009 1:27PM Hollingsworth and Funk LLC

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Please call me with any questions. We look forward to speaking with you on January 4<sup>th</sup> at 2pm EST. We will initiate the interview by calling (571)272-1986.

Best regards,

A handwritten signature in cursive script, appearing to read "Rebecca Davis".

Rebecca Davis